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Attorneys for Plaintiff,  
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Attorneys for Defendant,  
PDL BIOPHARMA, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

MEDIMMUNE, LLC,

Plaintiff,

v.

PDL BIOPHARMA, INC.,

Defendant.

Case No. CV 08 5590 JF

Action Filed: December 16, 2008

**STIPULATION AND PROPOSED  
ORDER REGARDING  
MARKMAN HEARING SCHEDULE**

1 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff MedImmune,  
 2 LLC. ("MedImmune") and Defendant, PDL BioPharma, Inc. ("PDL"). (each, a "Party" and  
 3 collectively, the "Parties") to the above-captioned litigation (the "Litigation") as follows:

4 Whereas, the *Markman* hearing and technology tutorial in the Litigation is currently  
 5 scheduled for September 28, 2009, and the parties have estimated that they will collectively last  
 6 approximately four hours. D.I. 106, 120, 123.

7  
 8 Whereas, it has recently come to the attention of counsel for Plaintiff MedImmune, LLC  
 9 that the Jewish holiday of Yom Kippur will be observed on September 28, 2009, which will  
 10 prevent it from attending and participating in the hearing on the scheduled date.

11 Whereas, Counsel for Defendant PDL Biopharma, Inc. has agreed to reschedule the  
 12 hearing to accommodate this conflict.

13  
 14 Whereas, the parties have conferred and concluded that they are available to participate in  
 15 a *Markman* hearing and technology tutorial on either October 1 or October 2, 2009, subject to the  
 16 Court's schedule.

17 Therefore, the parties stipulate and agree that the *Markman* hearing and technology  
 18 tutorial in the litigation be continued until October 1, 2009, October 2, 2009, or such other date on  
 19 which the Court is available.  
 20

21  
 22 DATED: July 2, 2009

WILLIAMS & CONNOLLY LLP

23  
 24 /s/

GERSON A. ZWEIFACH  
 PAUL B. GAFFNEY  
 AARON P. MAURER  
 DAVID I. BERL

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 26  
 27 Attorneys for Plaintiff  
 28 MEDIMMUNE, LLC

1  
2 DATED: July 2, 2009

WEIL, GOTSHAL & MANGES LLP

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/s/

MATTHEW D. POWERS  
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AARON Y. HUANG

Attorneys for Defendant  
PDL BIOPHARMA, INC.

**ATTESTATION OF FILER CONCERNING SIGNATURE**

In accordance with general Order No. 45, Section X, the filer of this document hereby attests that concurrence in the filing of this document has been obtained from each of the signatories listed above.

DATED: July 2, 2009

HOWARD RICE NEMEROVSKI CANADY FALK &  
RABKIN  
A Professional Corporation

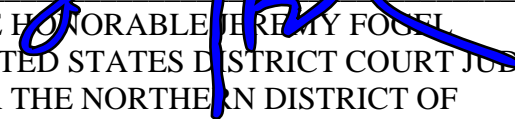
By: /s/  
JEFFREY E. FAUCETTE

Attorneys for Plaintiff  
MEDIMMUNE, LLC

**~~[PROPOSED]~~ ORDER**

The *Markman* hearing and technology tutorial is hereby continued to October 1,  
2009 at 9:00 am/pm.

DATED:



\_\_\_\_\_  
THE HONORABLE JEREMY FOGEL  
UNITED STATES DISTRICT COURT JUDGE  
FOR THE NORTHERN DISTRICT OF  
CALIFORNIA